

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

MAY 14 2015

MCALLEN DIVISION

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Rolando Garza-Galviz	PRINCIPAL	United States	CT. 1
A208 171 516	YOB: 1986		
Alexis Bermea	CO-PRINCIPAL	United States	CT. 1
A208 171 515	YOB: 1997		
Cipriano Munoz Jr.	CO-PRINCIPAL	United States	CT. 2
A208 171 514	YOB: 1979		

Case Number:

M-15-0771-M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about May 12, 2015 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

CT. 1 knowing or in reckless disregard of the fact Marggie Jackeline Erazo-Ayala, a national of Honduras, who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said alien in furtherance of such violation of law within the United States, that is, from a location near Los Ebanos, Texas to the point of arrest near Sullivan City, Texas,

CT. 2 knowing or in reckless disregard of the fact Dulce Maria Rodriguez-Paz, a national of Guatemala, along with three (3) other undocumented aliens, for a total of four (4), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Los Ebanos, Texas to the point of arrest near Sullivan City, Texas,

in violation of Title 8 United States Code, Section(s) 8 USC 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On May 12, 2015, at approximately 12:00 pm, Sullivan City Police Department received a call from a concerned citizen stating a Malibu and a BMW were loading people in Los Ebanos, Texas, a community near the Rio Grande River, approximately one mile south of Sullivan City, Texas. Officer A. Cortez drove south on El Faro Rd., en route to Los Ebanos. While driving south on El Faro Rd., he saw a Malibu and a BMW driving north in tandem.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

OK to file. Text

☒ Yes ☐ No

Signature of Complainant

Francisco Sanchez Senior Patrol Agent

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

May 14, 2015

Date

at McAllen, Texas

City and State

Peter E. Ormsby, U. S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

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CONTINUATION:

Officer Cortez made a u-turn and followed the vehicles north. He notice the passengers in the rear seat were not wearing their seat belt. Officer Cortez conducted a vehicle stop on the Malibu for unrestrained passengers. At the vehicle stop, Officer Cortez suspected the rear seat passengers to be illegally in the United States and requested Border Patrol's assistance. Officer Cortez also requested assistance from another Sullivan City Police officer to investigate the BMW which had already passed them and was driving away from the scene.

Officer M. Martinez responded to the call out of the BMW and noticed the driver of the BMW was unrestrained. Officer Martinez stopped the BMW, and also suspected the lone rear seat passenger of being illegally in the United States. He then also requested assistance from Border Patrol.

Border Patrol arrived at both the Malibu vehicle stop and the BMW vehicle stop.

At the Malibu stop, the driver, identified as Cipriano MUNOZ, claimed to be a United States Citizen. The four rear seat passengers all claimed to be illegally in the United States.

At the BMW stop, the driver and the front seat passenger, identified as Rolando GARZA-Glaviz and Alexis BERMEA respectively, claimed to be United States Citizens. The lone rear seat passenger in the BMW claimed to be illegally in the United States.

All three USCs were initially transported to Sullivan City Police Department due to various outstanding warrants and/or tickets. They were later turned over to Border Patrol for processing of the alien smuggling case.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

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CONTINUATION:

PRINCIPALS' STATEMENTS:

All three principals were read their rights.

Rolando GARZA-Galaviz and Alexis BERMEA stated they were willing to provide statements without the presence of an attorney.

1- Rolando GARZA-Galaviz told agents Alexis BERMEA is his girlfriend, and the two of them went to Sullivan City to visit BERMEA's aunt. According to GARZA, a man known to him as Califas hired him to pick up an illegal alien. In return, he was to be paid \$250. After picking up the illegal alien, GARZA was supposed to receive a call to tell him where to take the person he picked up. GARZA also made a statement saying the woman he picked up offered him \$200 for gas. When asked if he has ever smuggled illegal aliens in the past, he told agents "Never, I don't pick up illegal aliens, I don't like working with illegal aliens."

NOTE: GARZA was convicted of 1324 in 2005 and received 18 months confinement and a 3 year TSR.

2- Alexis BERMEA stated she received a call from a woman she knows as Mary Saucedo, who asked her if she could pick up a woman for her. According to BERMEA, she then passed the phone to her boyfriend GARZA, because she did not want to know anything about that. After speaking to Mary, GARZA then proceeded to get ready to leave. BERMEA told agents she went with him because she is a jealous woman. BERMEA stated they picked up the woman near the Los Ebanos POE, but she doesn't know where they were taking her. According to BERMEA, she and her boyfriend usually text Mary Saucedo once they are passed Havana, Texas to let Mary know where they are at and to receive further instructions. Agents asked BERMEA why she usually does this since she previously stated she doesn't want to know anything about smuggling. BERMEA tried to blame her boyfriend. She also referred to Mary as Vero.

NOTE: BERMEA has been involved in two prior administrative smuggling cases. She was not prosecuted in either due to her being a juvenile. On one those cases, the co-principal's name was Mari Veronica Saucedo.

3- Cipriano MUNOZ stated he did not wish to make a statement without the presence of an attorney.

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CONTINUATION:

MATERIAL WITNESSES' STATEMENTS:

Both material witnesses were read their rights. Both stated they understood and were willing to provide statements without the presence of an attorney.

1- Dulce Maria Rodriguez-Paz, a citizen of Guatemala, told agents she was charged \$6,000 (USD) to be smuggled into the United States. She stated the group she illegally crossed the Rio Grande River with consisted of 5 smuggled aliens and one guide navigating the raft. After they made it to the US side of the river, the 5 smuggled aliens walked together until reaching the vehicles that were waiting to pick them up. At that point, the group of 5 split up. Rodriguez told agents one female from the group boarded a different car, which was already occupied by the driver and another woman. The rest of the group, including herself, boarded a gold color sedan. Upon boarding the sedan, the driver asked everyone if they had the money. The told him they did, and he drove off. According to Rodriguez, he was going to take them to McAllen. When the driver noticed police was behind him he told the group he was going to pump gas. He then stopped at a gas station and exited the vehicle and police detained him. Rodriguez identified Cipriano MUNOZ as the driver of the sedan she was arrested in.

2- Marggie Jackeline Erazo-Ayala, a citizen of Honduras, told agents she was charged \$7,620 (USD) to be smuggled to New Jersey. Erazo stated she made arrangements to be smuggled into the United States without having to walk too much. In return, she was charged an additional \$600 (USD) and was take to the river's edge by herself. There, four more people showed up later, and they all crossed the Rio Grande River together. Since she had paid an additional fee, Erazo stated she was told a separate vehicle would arrive for her. Erazo thought it was supposed to be a red car, but a silver car arrived instead. The driver of that car exited and opened the back, driver's side door for her to board. The woman who was already sitting in the front passenger seat, immediately instructed her to slide over behind her. The driver then asked Erazo if she had the money, and the front seat female required her to give it to them so they could buy gas and by Erazo something to eat.

According to Erazo, the front seat female introduced herself as Alexis and the driver of the vehicle as her boyfriend. Erazo told agents the front seat female told her to tell police they were cousins from Mission. Erazo identified GARZA and BERMEA in photo lineups as the driver and the front seat female respectively.